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10/022,924	12/18/2001	Richard A. Pineau	8521	3275

20349 7590 03/25/2005

POLAROID CORPORATION  
PATENT DEPARTMENT  
1265 MAIN STREET  
WALTHAM, MA 02451

EXAMINER
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COULTER, KENNETH R

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/022,924

Applicant(s)

PINEAU ET AL.

Examiner

Kenneth R Coulter

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/18/01 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7/23/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. The subject matter of this application admits of illustration by a drawing to facilitate understanding of the invention. Applicant is required to furnish a drawing under 37 CFR 1.81(c). No new matter may be introduced in the required drawing. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d).

Fig. 3 is missing from the drawings submitted on 12/18/01.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3 – 5, and 10 - 30 are rejected under 35 U.S.C. 102(e) as being disclosed by Minegishi (U.S. Pat. Pub. No. 2002/0051197) (Public Line Connection Device for Printer and Print System).

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3.1 Regarding claim 1, Minegishi discloses a method comprising steps of:

(A) initiating a connection between a printer and a printing server over a telephone network (Fig. 1; Fig. 4, item S8; p. 4, paragraph 44 “public line connection device 200 of the **destination printer P is called up via the public line PSTN by dialing the telephone number**”); and

(B) at the printer, performing steps of:

downloading printing information from the printing server through the connection (Fig. 4, item S12; Abstract); and

printing the printing information (Fig. 1; Abstract).

3.2 Regarding claim 3, Minegishi discloses the method of claim 1 wherein the step

(A) comprises a step of dialing a telephone number associated with the printer (p. 4, paragraph 44 “public line connection device 200 of the destination printer P is called up via the public line PSTN by **dialing the telephone number**”).

3.3 Per claim 4, Minegishi teaches the method of claim 1, wherein the telephone network comprises a POTS network (Fig. 1 “PSTN”; p. 4, paragraph 44 “public line connection device 200 of the destination printer P is called up via the public line **PSTN** by dialing the telephone number”).

3.4 Regarding claim 5, Minegishi discloses the method of claim 1, wherein the printing information comprises processed printing information, and wherein the method

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further comprises a step of: (C) prior to the step (B), modifying source printing information based on capabilities of the printer to produce the processed printing information (p. 4, paragraph 45 "terminal device **negotiates with the printer P** regarding the print language that is to be employed (S10) ... When an appropriate print language, **which can be interpreted by the printer P**, is selected (S11:YES), print data is sent to the printer P ...").

3.5 Per claim 10, Minegishi teaches the method of claim 1, wherein the printing information comprises a graphical image, and wherein the step (B) (2) comprises a step of printing the graphical image on an output medium (Fig. 1; Abstract).

3.6 Regarding claim 11, Minegishi does not explicitly disclose the method of claim 1, wherein the printing information comprises an audiovisual stream, and wherein the step (B) (2) comprises a step of playing the audiovisual stream.

However, the viewing of an audiovisual stream and intermittent selection of data streams at a printer is commonplace in the art.

3.7 Per claims 12 – 21 and 24 – 30, the rejection of claims 1, 3 – 5, 10, and 11 under 35 USC 102(e) (paragraphs 3.1 – 3.6 above) applies fully.

3.8 Regarding claims 22 and 23, Minegishi does not explicitly disclose the method of claim 21, wherein the step (C) comprises a step of modifying the spatial resolution of

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the source printing information to produce the processed printing information, whereby the processed printing information has a spatial resolution at which the printer is capable of printing; or

wherein the step (C) comprises a step of modifying the color depth of the source printing information to produce the processed printing information, whereby the processed printing information has a color depth at which the printer is capable of printing.

However, the modification of data to meet the capabilities of the receiving device is inherent in order to better utilize scarce resources. Download time is critical due to the slowness of the PSTN connection in Minegishi. Modifying the resolution to match the capabilities of the printer of Minegishi would be inherent.

4. Claims 1 – 5, 10, 12 – 21 and 24 – 31 are rejected under 35 U.S.C. 102(e) as being disclosed by Miller, Jr. et al. (U.S. Pat. No. 6,356,356) (System and Method for Transmitting a Fax to an E-Mail Address).

4.1 Regarding claim 1, Miller discloses a method comprising steps of:

(A) initiating a connection between a printer (facsimile machine) and a printing server (fax/e-mail server) over a telephone network (Figs. 2, 3, 4, 5; Abstract; col. 4, lines 15 - 29); and

(B) at the printer, performing steps of:

downloading printing information from the printing server through the connection (Fig. 4; col. 6, lines 15 - 17); and

printing the printing information (Fig. 1, item 10; Abstract).

4.2 Per claim 2, Miller teaches the method of claim 1, wherein the step (A) comprises a step of dialing a telephone number associated with the printing server (Fig. 2; col. 4, lines 15 – 19 “Users of the fax to e-mail service of fax/e-mail server 18 **dial the unique telephone number assigned to the fax/e-mail server** 18 in order to transmit their fax to an e-mail address.”).

4.3 Regarding claim 3, Miller discloses the method of claim 1 wherein the step (A) comprises a step of dialing a telephone number associated with the printer (Figs. 4, 5; col. 3, lines 8 – 11; col. 6, lines 49 - 62)

4.4 Per claim 4, Miller teaches the method of claim 1, wherein the telephone network comprises a POTS network (Fig. 1, item 15; Fig. 4, item 15; col. 4, lines 15 – 17 “PSTN”).

4.5 Regarding claim 5, Miller discloses the method of claim 1, wherein the printing information comprises processed printing information, and wherein the method further comprises a step of: (C) prior to the step (B), modifying source printing information based on capabilities of the printer to produce the processed printing information (Fig. 5,

item 102; col. 7, lines 65 - 67).

4.6 Per claim 10, Miller teaches the method of claim 1, wherein the printing information comprises a graphical image, and wherein the step (B) (2) comprises a step of printing the graphical image on an output medium (Fig. 1, item 10; Abstract "Fax machine").

4.7 Per claims 12 – 21 and 24 – 31, the rejection of claims 1 – 5, and 10 under 35 USC 102(e) (paragraphs 4.1 – 4.6 above) applies fully.

5. Claims 1, 4, 6 – 10, 12 – 20, and 24 - 31 are rejected under 35 U.S.C. 102(e) as being disclosed by Foth (U.S. Pat. No. 6,473,498) (Method and System for Maximizing Use of a Communication Line).

5.1 Regarding claim 1, Foth discloses a method comprising steps of:

(A) initiating a connection between a printer (facsimile machine) and a printing server (Remote Access Server (RAS)) over a telephone network (Abstract; Fig. 2; col. 2, lines 25 – 40; col. 4, lines 10 - 35); and

(B) at the printer, performing steps of:

downloading printing information from the printing server through the connection (Abstract "transmit and receive information"; Figs. 2, 3); and



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printing the printing information (Fig. 2, item 190; Fig. 3; Abstract "facsimile machine").

5.2 Per claim 4, Foth teaches the method of claim 1, wherein the telephone network comprises a POTS network (Fig. 2, item 25 "PSTN"; col. 2, lines 10 - 12).

5.3 Per claim 6, Foth teaches the method of claim 1, further comprising a step of: (C) interrupting step (B) (1) if an interrupting signal is detected on the connection between the printing server and the printer (Figs. 3, 6; col. 2, lines 25 – 35 "the precedence of the signals is determined and the switch is directed to either enable or disable certain communication devices"; col. 4, lines 15 – 35 "if the monitor determines that the signal is created by a **priority user**, the monitor activates monitor/switch device 120 to accept the signal and **terminate** either the personal computer use or the **active facsimile transmission ...**")

5.4 Regarding claim 7, Foth discloses the method of claim 6, wherein the telephone network comprises a POTS network, and wherein the step (C) comprises a step of terminating the connection over the telephone network if an interrupting signal is detected on the connection (col. 4, lines 15 – 35 "if the monitor determines that the signal is created by a **priority user**, the monitor activates monitor/switch device 120 to accept the signal and **terminate** either the personal computer use or the **active facsimile transmission ...**").

5.5 Per claim 8, Foth teaches the method of claim 6, wherein the interrupting signal comprises a signal generated by a telephone call placed to the printer over the telephone network (col. 4, lines 15 – 35 “if the monitor determines that the signal is created by a **priority user**, the monitor activates monitor/switch device 120 to accept the signal and **terminate** either the personal computer use or the **active facsimile transmission ...**”; Abstract “Predetermined **user priority parameters** may include factors such as the time of transmission, ... and/or the **type of information being transferred.**”).

5.6 Regarding claim 9, Foth discloses the method of claim 6, further comprising steps of: (D) re-establishing a connection between the printing server and the printer; and (E) at the printer, resuming download of the printing information from the printing server through the re-established connection (Fig. 3, item 140; col. 5, lines 2 – 10 “the document transmission is stored in memory 140 for later transmission.”).

5.7 Per claim 10, Foth teaches the method of claim 1, wherein the printing information comprises a graphical image, and wherein the step (B) (2) comprises a step of printing the graphical image on an output medium (Fig. 1; Abstract “Facsimile machine”).

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5.8 Regarding claims 12 – 20 and 24 – 31, the rejection of claims 1, 4, and 6 – 10 under 35 USC 102(e) (paragraphs 5.1 – 5.7 above) applies fully.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. Pub. No. 2005/0024499 Luciano et al.

A photo printer device connected by telephone lines to a server.

See Fig. 1; p. 1, paragraph 15; p. 2, paragraph 17 ("photoprinter"; communication link can be "telephone lines"; computer 12 can be a "server"); paragraph 22 "modify the printed rendition of the digital photographs 21"

U.S. Pat. Pub. No. 2002/0060808 Henderson et al.

Ticket printing device that uses a server to dial up a remote printer and establish a wireless connection in order to download information.

See paragraphs 83, 84

U.S. Pat. No. 5,673,190 Kahleck et al.

**Printer management system** with a stand-alone printer. Communication means by way of dedicated telephone lines.

See Abstract; Fig. 1

U.S. Pat. No. 6,314,476 Ohara

A printer server connected to a printer using "connecting lines 18".

See Figs. 1, 6; col. 7, lines 24 - 34

U.S. Pat. No. 5,742,905 Pepe et al.

User dials a telephone number of a PCI server to connect a Fax machine to the PCI server using a wireline network.

See Fig. 3; col. 29, lines 1 - 25

U.S. Pat. No. 5,991,290 Malik

User dials the telephone number of a destination server to connect, over a PSTN line, a facsimile machine to the destination server; facsimile message is sent to the server.

See col. 1, line 60 – col. 2, line 9

U.S. Pat. No. 6,633,635 Kung et al.

Call waiting device that handles multiple incoming calls to a subscriber. Calls can be in "formats such as voice telephone, facsimile transmission, data transfer or otherwise."

See col. 2, lines 7 – 27; col. 30, lines 16 – 31; and col. 32, lines 28 – 48

U.S. Pat. No. 6,445,694 Swartz

Call waiting device that screens incoming calls. Handles fax transmissions.

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See Figs. 1, 4; Abstract; col. 9, lines 59 - 65

U.S. Pat. No. 6,594,032 Hiroki et al.

Facsimile machine device that connects to an e-mail server over a public telephone line in order to send faxes to email recipients. The facsimile machine "dials up a telephone number preassigned to the email server system ..."

See Abstract; Figs. 1, 3, 5; col. 5, lines 11 - 35

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth R Coulter whose telephone number is 571 272-3879. The examiner can normally be reached on 5 4 9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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krc

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PRIMARY EXAMINER  
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